



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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May 9, 2014

Mr. Astor Boozer  
Natural Resources Conservation Service  
14th and Independence Avenue SW  
Room 5204-S  
Washington, DC 20250

RE: Update of Field Office Technical Guide (FOTG) 590 for Nutrient Management

Dear Mr. Boozer:

I am writing to express my disappointment with the National Resources Conservation Service's (NRCS's) process to update the Washington State Nutrient Management Standard (590). As you are aware, the Washington State Department of Ecology (Ecology) is the water quality authority for Washington State. Ecology administers the state's Water Pollution Control Act, and is delegated by the U.S. Environmental Protection Agency (EPA) as the state water pollution control agency responsible for implementing all federal water pollution control laws and regulations. We are also one of the agencies responsible for addressing nitrate groundwater pollution issues in our state and ensuring that bacteria water pollution is addressed. Our work with NRCS to update the 590 standard has been a priority.

As you know, the nationally issued FOTG 590 requires NRCS to obtain concurrence from the state water quality authority for certain aspects of the practice. At your agency's request, we assigned a senior staff person who worked with Washington State NRCS staff for over two years to construct a 590 practice with which Ecology could concur. This practice was finalized and posted on the NRCS web site. However, the practice was withdrawn by NRCS, and Ecology was told that the national NRCS office had decided not to accept the winter manure application section of Washington's new 590 practice.

Ecology has not been informed of the specific reasons why Washington's new 590 practice was not accepted by national NRCS. We have also not been given any explanation of what was "misinterpreted" by state NRCS. Finally, we have heard nothing from NRCS about what alternative process is being proposed to move forward with producing a revised 590 practice for Washington. We continue to be concerned about winter manure application.

This leaves my agency in an awkward position. We were excited to be able to work closely with NRCS to produce a revised 590 practice designed to better protect water quality in Washington. We were also gratified that NRCS, at a national level, recognized the importance of including



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state water quality agencies in the revision of the 590 practice, and required state concurrence for specific parts of the practice. We spent more than two years building relationships with NRCS staff, working to understand NRCS perspectives, and negotiating with NRCS to produce a 590 practice that met the needs of both of our agencies.

Ecology's participation is vital to the production of a revised 590 practice for Washington. We also believe that the requirement for state water quality agency concurrence gives us a very specific role in the process. However, I am not inclined to spend another two years of work only to have our collective product dismissed with little to no explanation. Before NRCS begins any alternative process for production of a revised 590 practice, I request the following:

- A detailed explanation for rejecting the 590 practice previously negotiated.
- An explanation of how NRCS interprets the requirement for state agency concurrence.
- A commitment that NRCS will work with us in good faith to produce a revised 590 practice for Washington (i.e. we would like to meet with NRCS staff to discuss what alternative process will be used and how NRCS intends to work with Ecology and others to produce a revised 590 practice with which Ecology can concur).
- An explanation of what will happen if concurrence is not achieved.

Thank you in advance for your attention to this issue. We look forward to your response. My goal is to forge a good working relationship on this issue. If you have further questions please feel free to contact Kelly Susewind, my special assistant, at (360)-407-6829 or [kelly.susewind@ecy.wa.gov](mailto:kelly.susewind@ecy.wa.gov).

Sincerely,



Maia D. Bellon  
Director

cc: Roylene Rides at the Door, NRCS  
Bonda Habets, NRCS  
Tracy Hanger, NRCS  
Ernie Holt, NRCS  
Tom Eaton, EPA  
Dennis McLerran, EPA  
Wayne Honeycutt, USDA